

Session 1

Session 1.1 Title

Evolution of PRI

Session 1.2 Title

Constitution and establishment of GP



- **Instructor's Guide**
- **PowerPoint Slides**
- **Exercise**
- **Solution**
- **Participants' Note**

Session Title: Evolution of Panchayati Raj Institutions (PRIs) and constitution of Gram Panchayat (GP)		Session Guide
Instructor's Guide	Reference	Participant's Response
Session Overview		
Welcome participants to the session and remind them that their active participation is critical for the success of each session.		
Learning Objective		
Inform: At the end of this session, we will acquire the basic concept of PRIs, constitutional provisions for PRIs, organisational structure of GP, its prime duties and functions, its establishment etc., which will enable us to understand the system of PRIs and the constitution of GP.		
Basic Concepts		
Discuss: <ul style="list-style-type: none"> the historical perspective of PRIs beginning with the concept of Panchayat in ancient India. the evolution of Panchayat and Local Government Institutions in the pre and post-independence period. the constitutionalisation of Panchayats, position of panchayats in West Bengal and enactment of the W.B. Panchayat Act, 1973. the importance of allocation of funds to PRIs in W.B. State Budget. 	Slide : Home page for PRI Slide : Evolution of PRI (post-independence) Slide: Session 1 WB Panchayat Act	
Audit of Constitution of Gram Panchayat		
Explain: <ul style="list-style-type: none"> the definition of Gram. the constitution of GP, how it is elected, its functions and duties, Establishment of Gram Panchayat and the Annual Report on the work of GP. Distribute copy of Form 3A to make the participants familiar with the format of Annual Report on the work of GP.	Slide: Session 1 Constitution of Gram Panchayat Session 1 Format 1	
Encourage: <ul style="list-style-type: none"> the participants to explore probable audit points to be looked into in respect of constitution of GP. Advise them to jot down their points.	Slide: Session 1 Audit Points Constitution Of GP	
Application:		
Issue instruction for Exercise 1 , including time allowed for individual effort and for discussion on answers. Distribute Session 1 Exercise 1 Distribute suggested audit points and discuss the answers. Distribute Participants' Note	Session 1 Exercise 1 Solution 1 Participants' Note	
Summarise:		
During the session, we discussed evolution of PRIs, the organisational structure, duties, functions and establishment of GP and audit points thereon. Thank the participants and bring the session to a close.		

List of Forms required in Session 1. 1. Annual Report on Works of Gram Panchayat.

Evolution of PRIs

Slide 1

Historical perspective of local government since independence

Slide 4

Growth of second generation Panchayats

1978	Panchayat elections are held in West-Bengal on Party basis on 4 June – marking the beginning of second generation of Panchayati Raj Institutions. Ashoka Mehta Committee on working of Panchayats, appointed on 21 August.
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(This slide to be adopted as per state specific scenario)

Slide 2

Towards first generation Panchayats

1948-49	Constituent Assembly debates on the role of Panchayati Raj in Indian politics.
1950	The Constitution of India comes into force on 26 January; Directive Principles of State Policy mention village Panchayats as 'units of self-government (Art.40).
1957	Balwantrai Mehta Committee, appointed in January, submits its report on 24 November.

Slide 5

Constitutionalisation of Panchayati Raj .

1989	64th Constitutional Amendment Bill is introduced in Parliament on 15 May but was not passed.
1990	74th Constitution Amendment Bills are introduced in Parliament on 7 September; lapses on dissolution of Lok Sabha.
1991	72nd (Panchayats) and 73rd (Municipality) Amendment Bills are introduced in Parliament referred to the Parliament's Joint Select Committee in September.

Slide 3

Towards first generation Panchayats contd.

1958-60	Several state governments enact new Panchayat Acts bringing in three-tier Panchayat system.
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Slide 6

Constitutionalisation of Panchayati Raj contd

1992	Lok Sabha passes both the bills on 22 December; Rajya Sabha passes them on 23 December.
1993	73rd Amendment Act, 1992 comes into force on 24 April. 74th Amendment Act, 1992 comes into force on 1 June.
1993-94	All State governments pass Conformity Acts between 30 May 1993 and 23 April 1994.

Slide 7

Constitutionalisation of Panchayati Raj <small>contd</small>	
1996	Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996, extending 73rd Amendment Act to Scheduled Areas, comes into force on 24 December.
2001	83rd Constitution Amendment Act, 2000 amends Art. 243-M to dispense with reservations for Scheduled Castes in Arunachal Pradesh – paving way for Panchayat elections in the only state yet to hold them under the new dispensation.

[Home](#)

Slide 3

The West Bengal Panchayat Act, 1973



(This slide to be adopted to state specific Act.)

Concept of Panchayat

Slide 1

Concept of Panchayat



Slide 4

Enactment

The W.B. Panchayat Act, 1957 (prepared on the authority of Article 40 of the Directive Principles of the Constitution of India) was repealed by the W.B. Panchayat Act, 1973 to bring the enactment on Panchayats in conformity with all - India pattern.

(This slide to be adopted to state specific scenario)



Slide 2

CONSTITUTIONAL PROVISIONS ON COMPOSITION OF PANCHAYAT

Article 40 of the Directive Principles of the Constitution of India states:

The State should organise Village panchayats and endow them with necessary powers

Article 243 B & 243 C of the Constitution of India provide:

Panchayat at the village (Gram Panchayat), intermediate (Panchayat Samiti) and District levels (Zilla Parishad) are to be constituted.

The State Legislatures will make provisions for composition of Panchayats.



Slide 5

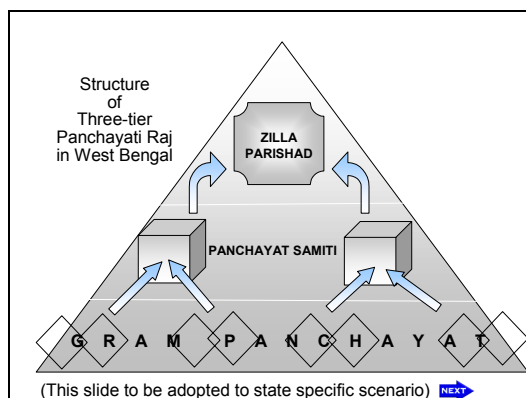
Enactment

Accordingly in W.B the three-tier system is termed as Gram Panchayat, Panchayat Samiti and Zilla Parishad.

(This slide to be adopted to state specific scenario)



Slide 6



Slide 9

Budgetary Allotment in 2002-03

Against total budgetary allocation of Rs. 1063.148 crores, a total amount of Rs. 464.127 crores was released to the P.R.Bodies. The details are shown in the following slides along with chart.

Annual Administrative Report 2002-03 of Deptt. of Panchayat & Rural Development Government of West Bengal

(This slide to be adopted to state specific scenario)

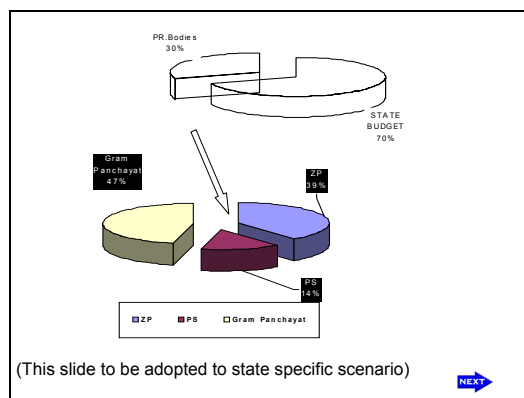
Slide 7

Object of the Act

To strengthen the self-governed local body in West Bengal.

(This slide to be adopted to state specific scenario)

Slide 10



Slide 8

Panchayats in West Bengal at a Glance (Elected Members)

	Nos.	Total Elected Members
Gram Panchayats	3354	51,142
Panchayat Samitis	333	8564
Zilla Parishads	18	720

(This slide to be adopted to state specific scenario)

Slide 11

(Rs. in crores)

Items	ZP	PS	GP	Total
Salary Allowance	18.07	12.79	116.97	147.84
Schematic Fund	145.59	39.92	97.02	282.54
Other Grants	19.62	12.80	1.31	33.74
Grand Total	183.29	65.51	215.31	464.12

(This slide to be adopted to state specific scenario)

Constitution of GP

Slide 1

**Constitution
of
Gram Panchayat (GP)**

Slide 4

Functions of GP

Functions as unit of Self-Government in order to achieve economic development and secure social justice for all
Prepares a development plan for five-year term; revised / updated as and when necessary

Prepares an annual plan for each year for development of human resources, infrastructure and civic amenities in the area

Implements schemes for economic development and social justice.



Slide 2

Gram and Gram Panchayat

For every Gram the State Government shall constitute a Gram Panchayat bearing the name of Gram.

Gram: The State Govt., by notification, may declare for the purposes of this Act any mauza or part of mauza or group of contiguous mauzas or parts thereof to be a Gram. The notification shall specify the name of the Gram by which it shall be known and shall specify the local limits of such Gram.

(This slide to be adopted to state specific scenario)



Slide 5

Duties of GP

The following are the chief duties of GP:

To exercise control and administration of the GP Fund

Imposition, assessment and collection of the Taxes, Rates or Fees leviable under W.B. Panchayat Act

Sanitation and drainage

Curative and preventive measures in respect of certain diseases. ☞

(This slide to be adopted to state specific scenario)



Slide 3

Constitution of GP

- Pradhan
- Upa-Pradhan
- Members
- Members of Panchayat Samiti , not being Sabhapati or Sahakari Sabhapati

HOW ARE THEY ELECTED ?

(This slide to be adopted to state specific scenario)



Slide 6

Duties of GP

- Supply of drinking water
- Maintenance, repair and construction of streets
- Removal of encroachment of public streets / public places
- Supply of any information which the DM / Zilla Parishad (ZP) / Panchayat Samiti (PS) may require
- Organising voluntary labour for community works and works for the up-liftment of its area.

(This slide to be adopted to state specific scenario)



Slide 7

Other Duties of GP

Also perform other duties as the State Government may assign to it in respect of:

- Primary , Social , Technical (vocational, adult, non-formal) education
- Irrigation
- Agriculture
- Rehabilitation of displaced persons
- Bringing wasteland under cultivation
- Plantation.

(This slide to be adopted to state specific scenario)



Slide 10

Role of Gram Sansad

Gram Sansad will advise G.P. on the following matters which will be considered by the GP in its meeting:-

- To identify schemes / programmes
- To select beneficiaries under different schemes
- To form beneficiary committees for development works
- To raise objection against any development work not executed in proper manner & to record that resolution.

(This slide to be adopted to state specific scenario)

Slide 8

Role of Gram Sansad

Every GP shall have a number of Gram Sansads.

One Gram Sansad will represent one Electoral Constituency / one Polling Station.

All the voters of a Constituency / Polling Station are members of Gram Sansad.

Every Gram Sansad shall hold at least two meetings in an year – Annual meeting in May and half -yearly meeting in November.

(This slide to be adopted to state specific scenario)

Slide 11

Role of Gram Sansad

- During the Annual Meeting, the Gram Sansad will discuss revised budget of previous year, accounts of last six months, names of beneficiaries under different development schemes, works done during previous year and works to be taken up in the current year
- During the half-yearly meeting, Gram Sansad will discuss GP budget of the next year & latest Audit Report of GP.

(This slide to be adopted to state specific scenario)

Slide 9

Role of Gram Sansad

More meetings may be convened on the direction of State Government as and when needed.

1/10 th of total number of members shall form a quorum for a meeting.

For lack of quorum, meeting will be deferred & held after 7 days at the same place. For adjourned meeting attendance of 5% members will make a quorum.

Meeting will be convened and presided over by Pradhan.

(This slide to be adopted to state specific scenario)

Slide 12

Role of Gram Sabha

Gram Sabha comprises all the voters of a GP.

GP shall convene a meeting of Gram Sabha in December each year.

In the meeting, GP will submit budget of the next year, annual plan, latest Audit report and receipt and expenditure of the last year.

(contd.)

(This slide to be adopted to state specific scenario)



Slide 13

Role of Gram Sabha contd.

1/12th number of the total members of Gram Sabha will make a quorum.

Decisions of Gram Sansad are placed in the Gram Sabha with the opinion of GP.

GP shall consider decisions of Gram Sansad and Gram Sabha.

If GP does not convene meeting of Gram Sansad/Gram Sabha, then State Govt. may remove Pradhan/Up-Pradhan from his post.

(This slide to be adopted to state specific scenario)

[NEXT](#)

Slide 14

Establishment of GP

- Pradhan
- Executive Assistant
- Sahayak
- Secretary
- Job Assistant
- GP Karmees

(This slide to be adopted to state specific scenario)

[NEXT](#)

Slide 15

Report on the work of GP

The GP shall prepare in Form 3A -
A report on the work done during the previous year and
The works proposed to be done during the following year and submit it to the PS.

The GP shall, in October and April every year, also prepare a half-yearly report showing the amount received by the GP during the previous half-year including the opening balance and the amount actually spent on different items of works.

(This slide to be adopted to state specific scenario)

[NEXT](#)

Slide 16

[Audit Points on Establishment of GP](#)

[Click](#)

[Audit Points on Functions of GP](#)

[Click](#)

Establishment of GP

Slide 1

Establishment of Gram Panchayat (GP)

Slide 2

Staff of GP

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graph TD
    Pradhan[Pradhan] --> ExecutiveAssistant[Executive Assistant]
    ExecutiveAssistant --> Sahayak[Sahayak]
    ExecutiveAssistant --> Secretary[Secretary]
    ExecutiveAssistant --> JobAssistant[Job Assistant]
    ExecutiveAssistant --> GPKarmees[GP Karmees]
  
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(This slide to be adopted to state specific scenario)

[NEXT](#)

Slide 3

Functions of the
Executive Assistant (Ex. Asst.)

- He is in charge of the office of the GP;
- Acts under the supervision of the Pradhan;
- Remains in executive charge of administrative including establishment, related functions and financial operations of the GP;
- Custodian of the Cheque/Pass Books of Bank/Post office;
- Prepares the Cheque for encashment out of GP Fund;

(This slide to be adopted to state specific scenario) (contd.)



Slide 6

Functions of the Secretary contd.

- Keeps all records in safe custody and produces the same in the meetings of GP/ Gram Sabha/ Gram Sansad, excepting the Cheque Book and the Cheque Book Register;
- Oversees payments of wages to labours engaged in various programmes under implementation by the GP;
- Records the resolution of the meeting held in the GP/ Gram Sabha/ Gram Sansad;

(contd.)

(This slide to be adopted to state specific scenario)



Slide 4

Functions of the
Executive Assistant contd.

- Authenticates all entries in the cash book and vouchers in support thereof;
- Performs the work relating to the implementation of programmes / schemes;
- Prepares the annual budget in due time;
- Responsible for allotting duties to the GP Karmees;
- Supervises the recording / noting of the resolutions adopted in Gram Sansad and Gram Sabha meeting.

(This slide to be adopted to state specific scenario)



Slide 7

Functions of the Secretary contd.

- Produces all records before the auditors or inspecting officers as when required;
- Submits to the appropriate authority all grants-in aid bills in due times;
- Perform duties for encashment of cheques and disbursement of fund;
- Perform such other duties in respect of the work of the GP and of the State Govt. as the Pradhan may direct.

(This slide to be adopted to state specific scenario)



Slide 5

Functions of the Secretary

- Prepares list in respect of tax and license fees levied by GP;
- Maintains Cash Book and books of accounts;
- Prepares the monthly, quarterly, half-yearly and annual statement of accounts and places the same before the GP;
- Assists the Ex. Asst. towards preparation of Budget of the estimated receipts and disbursement of GP;

(This slide to be adopted to state specific scenario)



Slide 8

Functions of Job Assistant

- Prepares estimates for the work / projects in conformity with the financial and technical guidelines prescribed by the appropriate authority; Prepares measurement sheet, Muster Roll and acquittance roll;
- Watches and supervises the progress of work, project and programme-wise, supported by Muster Rolls and measurement sheets;

(This slide to be adopted to state specific scenario)



Slide 9

Functions of Job Assistant contd.

- Submits collected and compiled reports, returns and relevant records in office of the GP;
- Submits completion report and utilisation report, project and programme-wise, in respect of the work programme executed by the GP.

(This slide to be adopted to state specific scenario)



Slide 12

Functions of GP Karmees

- They are salaried employees of the GP;
- They act and serve the GP as per direction of Pradhan, Upa-Pradhan and members of GP;
- State Government fix their salaries and may contribute cost of such staff;
- Their prime duties include watch and ward, prevention of crime, protection of life etc.

(This slide to be adopted to state specific scenario)

BACK TO
CONSTITUTION OF
Gram Panchayat

Slide 10

Functions of Sahayak

- Assists the Ex. Asst. in matters of financial administration if and when required;
- Assists the Secretary in facilitating the proper maintenance of accounts and records, including vouchers of financial transactions made in and by the GP and in encashment of cheques.

(This slide to be adopted to state specific scenario)



GP member election

Slide 1

ELECTION OF GRAM PANCHAYAT (GP) MEMBERS

BACK TO
CONSTITUTION OF
Gram Panchayat

Slide 11

Functions of GP Karmees

- GP may appoint staff and employees as may be required by it, such as GP Karmees, with prior approval of State Government;
- No such post shall be created or abolished without prior approval of State Government ;
- Number of such staff should be fixed by State Government;
- They will act within the ambit of the power so vested upon by GP;

(contd.)

(This slide to be adopted to state specific scenario)



Slide 2

ELECTION OF GP MEMBERS

- Persons whose names are included in the electoral roll pertaining to the area comprised in the Gram, shall elect the members by secret ballot
- The number of such members must not be less than five or more than thirty (as determined by the State Govt. in accordance with no. of voters in that area)

(This slide to be adopted to state specific scenario)



Slide 3

Term of office of the members of GP

- Members shall hold office for a period of five years from the date appointed for its first meeting and no longer.

(This slide to be adopted to state specific scenario)



Slide 6

Disqualification of members of GP

- If he has any share or interest in any contract with, by or on behalf of, the GP, or the PS of the Block comprising the Gram concerned

(This slide to be adopted to state specific scenario)



Slide 4

Disqualification of members of GP

A person shall not be qualified to be a member of GP

- If he is a member of any Municipal Authority

(contd.)

(This slide to be adopted to state specific scenario)



Slide 7

Disqualification of members of GP

- If he has been dismissed from the service of the Central/State Govt. / local authority / Govt. Undertakings for misconduct involving moral turpitude and five years have not elapsed from the date of such dismissal

(contd.)

(This slide to be adopted to state specific scenario)



Slide 5

Disqualification of members of GP

- If he is in Central/State Govt. service or in any GP/PS/ZP

(contd.)

P.S. A person in the service like undertaking of Central/State govt., Bank, University, School etc. shall not be deemed to be in the service of the Central/State Govt.

(This slide to be adopted to state specific scenario)



Slide 8

Disqualification of members of GP

- If he has been adjudged by a competent court to be of unsound mind
- If he is an undischarged insolvent
- If he has been convicted by a court of an offence involving moral turpitude punishable with imprisonment for a period of more than six months

(contd.)

(This slide to be adopted to state specific scenario)



Slide 9

Disqualification of members of GP

- If he has not attained the age of twenty one years on the date fixed for the scrutiny of nominations for any election.

(This slide to be adopted to state specific scenario)



Slide 12

Tenure of Pradhan & Upa-Pradhan

- The Upa-Pradhan shall exercise the powers, perform the functions and discharge the duties of the Pradhan until a new Pradhan is elected and assumes office or until the Pradhan resumes his duties.

(This slide to be adopted to state specific scenario)



Slide 10

ELECTION OF PRADHAN AND UPA-PRADHAN

- Every GP shall, at its first meeting with a due quorum, elect, in the prescribed manner, one of its members to be the Pradhan and another member to be the Upa-Pradhan of the GP.

(This slide to be adopted to state specific scenario)



Slide 13

Tenure of Pradhan & Upa-Pradhan

- When the office of the Pradhan falls vacant by reason of death, resignation, removal or otherwise, or
- The Pradhan is by reason of leave illness or other cause, temporarily unable to act.

(This slide to be adopted to state specific scenario)



Slide 11

Tenure of Pradhan & Upa-Pradhan

- The Pradhan and Upa-Pradhan shall normally hold office for a period of five years.
- When the office of the Pradhan falls vacant by reason of death, resignation, removal or otherwise, or
- The Pradhan is by reason of leave illness or other cause, temporarily unable to act.

(This slide to be adopted to state specific scenario)



Slide 14

Tenure of Pradhan & Upa-Pradhan

When the same circumstances arise in respect of Upa-Pradhan, the Pradhan shall exercise the powers of Upa-Pradhan.

(This slide to be adopted to state specific scenario)



Slide 15

Tenure of Pradhan & Upa-Pradhan

- When the office of the Pradhan and Upa-Pradhan are both vacant or the Pradhan and Upa-Pradhan are temporarily unable to act-

The authority may appoint (for a period of thirty days at a time) a Pradhan and Upa-Pradhan from among the members

(This slide to be adopted to state specific scenario)

[BACK TO CONSTITUTION OF Gram Panchayat](#)

Slide 3

Annual Reports of GP Receipt Side

- Did the O/B tally with the C/B of the previous year?
- Particulars of contributions / grants by the State/Central Government under different heads should be checked with Cash Book and cheques received;
- Basis for computation of the anticipated receipts for the next year / half year should be verified from the worksheet.

Audit of constitution of GP

Slide 1

Audit Points In Respect of 'Constitution of Gram Panchayat'

[Click](#)

Slide 4

Annual Reports of GP Receipt Side

- Particulars of tax revenue under different schemes should be cross checked with postings from Cash Book, tax collection register, key of tax imposed as decided in the meetings of GP;
- Whether there were any arrears in collection. If so, the reasons thereof should be assessed;
- Particulars of receipts under various other heads should be reconciled with postings in Cash Book, allotment orders and cheques;

(contd.)

Slide 2

Annual Reports of GP Five Year / Annual Plan

- Whether such five-year / annual plans had actually been drawn up;
- Whether there was reasonable consistency in such plans.

Slide 5

Annual Reports of GP Receipt Side

- In respect of recovery of cost of demolition of buildings, the amount of actual recovery should be verified from the prescribed rates/ rates fixed at the GP meetings;
- Amounts received from Central/ State Government and other sources as loans & advances should be checked from the Cash Book, respective registers and cheques;

(contd.)

Slide 6

**Annual Reports of GP
Receipt Side**

9. Entitlement & authenticity of receipts from gifts etc. should be verified from minutes of GP meetings;
10. Percentage of total receipts of the GP generated through own source.



Slide 7

**Annual Reports of GP
Expenditure Side**

1. Cost of administration should be verified from the office copies of salary & allowances, sanction registers, Cash Book and withdrawal of cheques;
2. In respect of Traveling Allowance, it should be seen that the programmes were approved by the competent authority;
3. In respect of honorarium, it should be seen that the prior approval of the competent authority was obtained and the work for which the honorarium was sanctioned, was actually executed;

(continued.)

Slide 8

**Annual Reports of GP
Expenditure Side**

4. Expenditure shown under different heads/ schemes/ works should be tallied with figures of different works registers/Cash Book. Performance of works should also be kept in view to see the works for which the amounts are shown as incurred, were actually executed/under execution;
5. Expenditure is supported by proper vouchers.

**Audit of establishment of GP**

Slide 1

**Audit Points In Respect of
Establishment of Gram Panchayat**
[Click](#)

Slide 2

**Audit Points In Respect of Establishment of
Gram Panchayat**

- Was there a register to authenticate the sanctioned staff?
- Did the posts in operation have prior approval of the State Government?
- Was any post created or abolished without prior approval of the State Government?
- Did the staff have a fixed duty list?



Exercise:**Time: 10 mins.****Mark ✓ the correct answer:**

1. Reports on how many types of work are prepared in Gram Panchayat?
☐ 3 ☐ 2 ☐ 1
2. Who among the following in a GP is a representative/staff of the government?
☐ Pradhan ☐ Pradhan and Upa-Pradhan ☐ Secretary
3. Can a Central/State Government employee be a GP member?
☐ Yes ☐ No
4. A member of the village was dismissed from government service on financial grounds six years ago. Is he eligible to be a member of the GP now?
☐ Yes ☐ No
5. What is the minimum age for a member of the GP?
☐ 18 ☐ 16 ☐ 21

(This portion to be adopted to state specific scenario)

Solution

1. ☐ 2
2. ☐ Secretary
3. ☐ No
4. ☐ Yes
5. ☐ 21

(This solution to be adopted to state specific scenario)

Session Title

Evolution of Panchayati Raj Institutions (PRIs) & Constitution of Gram Panchayat (GP)

Session Overview

In this first session we will discuss-

(i) Evolution of PRIs in the pre and post-independence phase including enactment of constitutional provisions and significance of devolution of funds vis-à-vis audit thereof and concept, definition, organisation & establishment of Gram Panchayat.

At the end of this session, participants will acquire the basic concept of PRIs, constitutional provision for PRIs, organisational structure of GP, its prime duties and functions, its establishment etc. which will enable them to understand the system of PRIs and the constitution of GP.

Historical perspective



Let us see what history says

The pre-independence period

India has a long legacy of Panchayats, an important feature of these institutions being that they were largely self-governing.

During the Vedic period, the village Panchayat, called '*Samiti*' was the basic unit of administration and the head of a Samiti was called *Gramin*. Kautilya's "*Arthashastra*", depicting the system of governance of the Mauryan age, indicates the significance of these institutions particularly for revenue and economic purposes and mentions the various functions to be performed by *Gramika*, the village headman. The historical records of the Gupta era also

show the existence of a *Gram Sabha* consisting of all adult residents of a village, controlled by an executive body or council popularly known as *Panchayat*, which managed village affairs.

The growth of Panchayats had, through the ancient, medieval and modern periods, ups and downs. It is only from the year 1870 that India saw the dawn of representative institutions with Lord Mayo's resolution proclaiming the need for local interest, local supervision and local care on issues like education, sanitation, medical relief and public works.

Following the footsteps of Mayo, Lord Ripon in 1882 provided the much needed democratic framework to these institutions. All boards (then existing) had to have a two-thirds majority of the non-officials who had to be elected; the chairmen of these bodies had to be from among the elected non-officials. Local self-government institutions received a boost with the setting up of the Royal Commission on Decentralisation in 1907 which viewed that local government

should start from the village level rather than the district level.

The years that followed after the First World War, saw the advent of leaders like Mahatma Gandhi on the national political scene. He set the tone of the nationalist point on the Panchayat. He viewed the Panchayat as a *Swadeshi* institution and visualized the advent of a free nation in India marked by village self-rule and all-round development at the grass root level in the rural areas, which he frequently termed as *Gram Swaraj*.

The development of local self-government institutions got a further fillip with the introduction of the Montague-Chelmsford Report which made local self government a transferred subject under the scheme of Dyarchy. By 1925 eight provinces had passed Panchayat Acts and by 1926, six native states had also passed Panchayat laws. The Government of India Act of 1935 led to the formation of popular Ministries in 1937 and they undertook legislations to make the local bodies truly representative of the people.

However, the initial zeal of the Ministries to make these institutions popular received a setback between 1939-46 due to the outbreak of the Second World War and events thereafter.

The post-independence period

After India got independence, an important question which came up was the nature of the role the Panchayats should have in the new Constitution. Ultimately, the overall feeling of the members of the Constituent Assembly was for the inclusion of village Panchayats in Article 40 under the Directive Principles of State Policy which reads as follows:

"The State shall take steps to organize village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of local self-government". The Directive Principles were, thus, only persuasive and did not compel the States to take steps to promote Panchayats.

The post-independence phase of Panchayati Raj is marked with significant

developments. In an attempt to usher in socio-economic and cultural transformation in the country side, in 1952, the Government of India had launched a comprehensive programme of Community Development Programme (popularly known as CDP) encompassing almost all activities of rural development. However, the programme could not make much headway in fulfilling the dreams of the rural masses. In order to examine the causes for its failure, the Government of India constituted a high power study team headed by Balwantrai Mehta, a Member of Parliament. The Team observed that the failure of the CDP was due to the conspicuous absence of people's participation. In order to secure participation, the Team suggested that 'a set of institutional arrangements' would have to be created to make participation meaningful and effective. This resulted in the creation of a 'three-tier' system of PRIs to organize and manage the rural development activities. Thus began a new experiment in the sphere of rural development through the participation

of people. The recommendation favoring democratic decentralization accelerated the pace of constituting PRIs in the States. By 1959, most States had passed Panchayat Acts and by mid 1960s, Panchayats had reached all the parts of the country. The framework of the new institutional arrangement comprised 'Village Panchayats' at the base, 'Panchayat Samitis' at the middle and 'Zilla Parishads' at the apex level.

PRIs were, thus, made an institutional component of India's development administration. However, although the ideals and basic objectives of these institutions were identical in nature, their powers, mode of representation of the people and the nature of inter-relationship among them were not uniform.

Since the Balwantrai Mehta Committee did not make provisions for fiscal decentralization, the K. Santhanam Committee was set up in 1963 to look into Panchayat finances. Key recommendations included powers to levy a special tax on land revenues and homes; consolidation of all grants at the

state level and devolution to PRIs; and the establishment of a Panchayat Raj Finance Corporation to look into the financial resources of PRIs and provide loans and financial assistance to grassroots level governments.

Since the recommendations of earlier committees were not fully implemented, the Ashoka Mehta Committee (1978) was appointed to again examine measures to strengthen PRIs.

It recommended *inter-alia* the following:

- The district as the key administrative unit for planning, coordination and resource allocation, and the management of the rural and urban continuum.
- Population based representation of Scheduled Castes (SCs) and Scheduled Tribes (STs) in the election to PRIs.
- Participation of political parties in elections.
- Financial devolution consistent with the devolution of developmental functions to the district level.

Thus the thrust shifted from the Panchayat as a development

organization to the Panchayat as a political institution. Building on the recommendations of the Ashoka Mehta Committee, the states of Karnataka, Andhra Pradesh, West Bengal and Jammu and Kashmir either revised their existing Panchayat Acts or passed new legislation. For the first time in India, local body elections in West Bengal in 1978 saw the participation of political parties.

Constitutionalising the PRI system

A wave of decentralization of service delivery to local governments gathered momentum in the 1990s, including countries like Albania, Bolivia, Bosnia, Brazil, Ethiopia, Malawi, Madagascar, Philippines, South Africa, Uzbekistan, Uganda and Zambia.

India also implemented a countrywide experiment with decentralization to local governments, since the passage of the 73rd and 74th Constitutional Amendments in the early 1990s.

In order to implement Article 40 of the Constitution, the 73rd Constitution Amendment Act, 1992 inserted Articles

243 to 243-O which tried to address some of the problems encountered by PRIs in previous years by

- a) Granting PRIs constitutional status;
- b) Empowering socially and economically disadvantaged groups such as dalits, adivasis and women;
- c) Ensuring free, fair and regular elections;
- d) Keeping terms fixed;
- e) Identifying a list of subjects to come under the jurisdiction of PRIs;
- f) Addressing the issue of PRI finances; and
- g) Establishing the Gram Sabha (village assembly) as the electorate body to which the Panchayat would be accountable.

The main features of the 73rd Amendment may be seen at Annexure - I.

Thus the 73rd Constitutional Amendment consolidated many of the gains achieved in establishing PRIs, and imposed a political uniformity on the

structure and working of the third tier. The Amendment perceived popular participation as the key in decision-making and service delivery. This goal of reclaiming the state by the citizen had become particularly important with weaknesses in the state's delivery mechanisms becoming evident. The Ninth Five Year Plan (1997-2000) stated: "Past experience has shown that many development projects and programmes, having laudable objectives, have failed to deliver the result because of the inadequacies of design and implementation. Time and cost overruns have become widespread and substantial in public sector infrastructure and investment projects. It is common knowledge that the benefits intended to be delivered to the people through development programmes in the social sectors have not fully reached the beneficiaries because of the weakness in administrative planning and delivery mechanism."

Including the adivasis

The Constitutional Amendment, however, excluded the adivasis or indigenous people, except for reservations, and the Scheduled Areas (Areas with a majority tribal/indigenous population). Subsequent to the Bhuria Committee (1994) extending the provisions to the Scheduled Areas and suggesting modifications to strengthen institutions of local self government, the Adivasi Act, or the Provisions for Extension to Scheduled Areas (PESA) came into effect in 1996. This Act is remarkable in the Indian context since it recognizes the vulnerability of the adivasis to any action against their interests by state representatives such as the lower officials of the police, excise, forest and revenue departments. It endorses the communitarian nature of adivasi life with respect to the resource base. Moreover, it recognizes the priority of community rights with respect to individuals, especially in the case of property. On the basis of these principles, the Act placed the Gram

Sabha at the centre of the Panchayat system of self-rule for the adivasis, going beyond the functions and powers of the 'Gram Sabha' in non-Scheduled Areas. Thus the 'Gram Sabha' in Scheduled Areas has been entrusted with preserving popular customs and cultural identity; the traditions and customs of the people; safeguarding the community in the management of community resources; ensuring the customary mode of conflict resolution; and being consulted in land acquisition matters.

Following the mandate of the 73rd Amendment to the Constitution, which gave a constitutional status to the Panchayats as a third tier in India's federal structure in rural areas, there are now nearly a quarter of a million village Panchayats, (village councils), eight thousand Panchayat Samitis (block councils) and over 500 Zilla Parishads (district councils), making this the single largest experiment in decentralization of governance attempted anywhere in the world.



TIME LINE

Milestones in the Evolution of Local Government since Independence

Towards first generation Panchayats

1948-49 ↓	Constituent Assembly debates on the role of Panchayati Raj in Indian politics.
1950 ↓	The Constitution of India comes into force on 26 January; Directive Principles of State Policy mention village Panchayats as 'units of self-government (Art.40)
1952 ↓	Community Development Programme starts off on 2 October.
1957 ↓	Balwantrai Mehta Committee, appointed in January, submits its report on 24 November.
1958-60 ↓	Several state governments enact new Panchayat Acts bringing in three-tier Panchayat system.
1964-77 ↓	Decline of first generation Panchayat Raj Institutions.

Growth and decline of second generation Panchayats

1978 ↓	Panchayat elections are held in West Bengal on Party basis on 4 June – marking the beginning of second generation of Panchayat Raj. Ashoka Mehta Committee on working of Panchayats, appointed on 21 August.
Constitutionalisation of Panchayati Raj	
1989 ↓	64 th Constitutional Amendment Bill is introduced in Parliament on 15 May; is defeated in Rajya Sabha on 15 October

1991 ↓	72 nd (Panchayats) and 73 rd (Municipality) Amendment Bills are introduced in Parliament, referred to the Parliament's Joint Select Committee in September.
1992 ↓	Lok Sabha passes both the bills on 22 December; Rajya Sabha passes them on 23 December.
1993 ↓	73 rd Amendment Act, 1992 comes into force on 24 April. 74 th Amendment Act, 1992 comes into force on 1 June.
1993-94 ↓	All state governments pass conformity Acts between 30 May 1993 and 23 April.
1996	Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996, extending 73 rd Amendment Act to Scheduled Areas, comes into force on 24 December.

Source: Panchayati Raj Update, October 2002

Devolution of Departments / Subjects to PRIs

The Constitution (73rd Amendment) Act, 1992 was a watershed in the history of decentralised governance, planning and development.

One of the salient features of this act is - 'Devolution of powers and responsibilities by the state in preparation and implementation of plans for economic development and social justice including implementation of schemes relating to the subjects listed in the 11th schedule of the Act'.

It is clear from the Article 243-G of the Constitution that the legislature of a state may, by law, endow the Panchayats with such powers and authority as may also contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to (a) the preparation of plans for economic development and social justice (b) the implementation of schemes for economic development and social justice as may be entrusted to them including those in

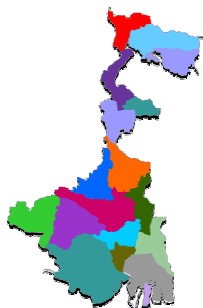
relation to the matters listed in the 11th Schedule.

It is, however, not mandatory on the part of the state government to implement this because the word 'may' is used in this article. It implies that power sharing with Panchayats depends on the political leadership at the state level. As a result, decentralisation to rural governments has, in reality, tended to be a patch-work of de-concentration, delegation and devolution.

As per the Constitution (73rd Amendment) Act, 1992, the state governments were supposed to transfer to Panchayats functions pertaining to 29 subjects listed in the 11th Schedule of the Constitution (Annexure - II). Annexure - III shows the state-wise Status of Devolution of Departments / Subjects to PRIs.

It may also be seen from Annexure - III that only Karnataka, Kerala, Rajasthan, Sikkim, Tamil Nadu, West Bengal and Daman and Diu have transferred all 29 subjects. States like Arunachal Pradesh, Assam, Bihar, Jharkhand, Goa, Gujarat, Andaman and Nicobar Island, Chandigarh and Pondicherry have not devolved any

functions. It is also evident from Annexure III that although several states have given a number of responsibilities to the Panchayats, these have not been accompanied by the requisite devolution of funds and functionaries to the PRIs. In other words, in varying degrees devolution remains *de jure* rather than *de facto*.



Position in West Bengal*

Statutorily constituted Panchayats were established in Bengal in 1870 when the Bengal Village Chowkidari Act was passed. The Bengal Local Self-Government Act of 1885, provided for a three-tier structure for rural Bengal. At the top, there was to be a district; at the middle level, a local board covering a sub-division; and at the lowest level the union committee with jurisdiction over a union or a group of villages.

* This portion to be adopted to state specific scenario.

The Bengal Village Self-Government Act of 1919 provided for the creation of union boards consisting of a group of villages. The electorate was to consist of all adult males having residence within the union and paying local tax, that is, union rates or cess. Each union board had a president and a vice-president elected by its members. The union boards were given a variety of functions. There were normal municipal functions, such as sanitation, water supply, maintenance of roads or drains, or regulatory functions, such as control on construction of buildings. There were some development functions as well, such as, promotion of cottage industry, or establishment of primary schools or libraries. The boards could exercise control over the rural police (Chowkidars and Dafadars¹). By 1936-37, the number of elected boards rose to nearly five thousand. A new class of officers, known as circle officers, was appointed by the government to supervise functioning of a group of boards and to act as a link

¹ At present this post has been abolished. A new post 'Gram Panchayat Karmees' has been introduced.

between the government and the self-governing institutions.

The West Bengal Panchayat Act of 1957 replaced the Village Self-Government Act of 1919 and restructured local self-government in villages by introducing two-tier Gram Panchayats and Anchal Panchayats in place of the union boards. Besides, a new concept called the Gram Sabha was introduced. The Gram Sabha consisted of all persons whose names were in the electoral rolls of the West Bengal Legislative Assembly. Each Gram Sabha covered a population of seven hundred to 1,200 persons, residing in one or two villages. The executive arm of the Gram Sabha was the Gram Panchayat which consisted of nine to fifteen members elected by the members of the Gram Sabha. The Panchayat was given functions but not the authority to raise funds. Power to levy and collect rates and fees was given to another body known as the Anchal Panchayat. For every eight to nine Gram Panchayats there was an Anchal Panchayat. The area of operation of the Anchal Panchayat was more or less coterminous with its predecessor, the

union board. Thus, through the Act of 1957, West Bengal tried to implement the directive contained in Article 40 of the Constitution of India for establishing village Panchayats without disturbing radically the traditions of the firmly rooted institution of union boards.

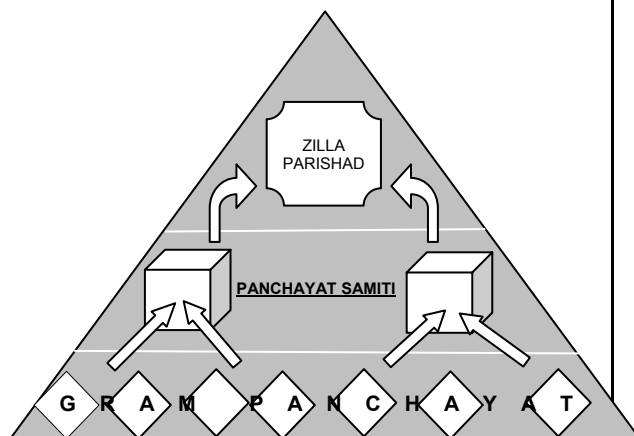
In 1963, the West Bengal Zilla Parishads Act was passed to provide for the remodelling of local government with a view to associating local authorities with development activities and bringing about democratic decentralization and people's participation in planning and development. Under this Act, two corporate bodies were created - 'Anchalik Parishads' at the block level and 'Zilla Parishads' at the district level. There was no provision for direct election to any of these bodies. The Anchalik Parishad consisted of all the Pradhans of the Anchal Panchayat within the area.

The 1957 Act providing for Gram and Anchal Panchayats and the 1963 Act providing for Anchalik and Zilla Parishads formed the basis of the Panchayati Raj structure of the state. It was a four-tier system instead of the three-tier system

recommended by the Balwantrai Mehta Committee. Except for the Gram Panchayat, none of the other tiers had any directly elected member.

The West Bengal Panchayat Act was passed towards the end of 1973, with amendments made from time to time, remained effective in the decades that followed. With this act, the state's Panchayat system fell in line with the all-India pattern of the three-tier system as illustrated below:

Structure of Three-tier Panchayati Raj System



In June 1977, the Left Front led by the Communist Party of India (Marxist) was voted into office. Immediately thereafter, the new government embarked upon a programme of rural

development based on land reform and decentralization of power through the Panchayats. After making some amendments to the 1973 Act, the government held elections on 4 June 1978 to all the three tiers of Panchayats. Thus began a new chapter for Panchayati Raj Institutions in the state. Indeed, when one considers the all-India scenario, West Bengal's performance in supporting the institution of Panchayat appears to be commendable. By holding Panchayat elections with regularity every fifth year since 1978, West Bengal set an example to all other states.

West Bengal Panchayats at a Glance (Elected Members)*

	Nos.	Total
Gram Panchayats	3354	51,142
Panchayat Samitis	333	8564
Zilla Parishads	18	720

*This portion to be adapted to state specific scenario.

It is widely held that West Bengal's Panchayati Raj is a success story. PRIs have been given substantial responsibility in rural development works, particularly in the implementation of poverty alleviation programmes. As a result, these local bodies are today an indispensable part of the delivery system of the state government in the rural area. Now, no target-group oriented development programme, nor programmes that call for mobilization of rural people, such as, mass literacy, are undertaken by the state government without involving these bodies.



Flow of Funds

In 2002-03, total budget provision in West Bengal meant for PR Bodies was of Rs.1063.148 crores out of which Rs. 153.458 crores were earmarked for salary and allowance grant, Rs.222.400 crores was for schematic expenditure and Rs. 687.289 crores for other compensatory grants to PR Bodies and grants for

development of civic amenities etc. This provision does not include the flow of funds from the Government of India directly to the PR Bodies.

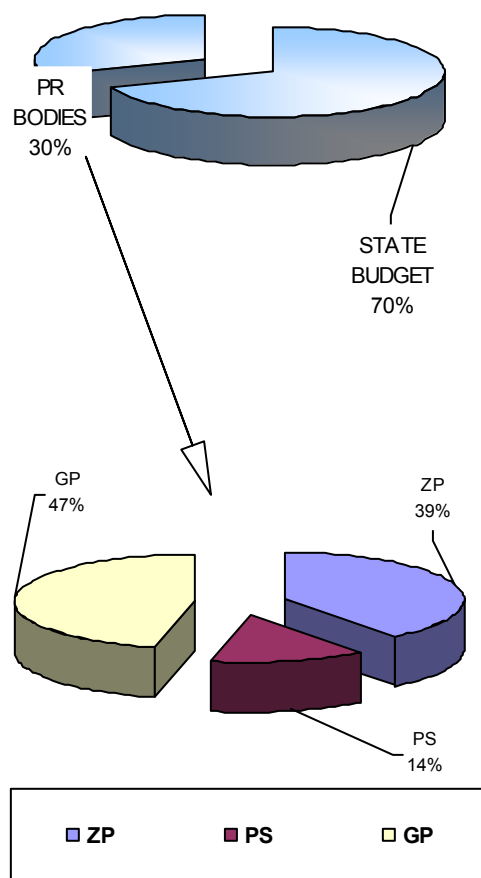
Against total budgetary allocation of Rs. 1063.148 crores (Annexure - IV), a total amount of Rs. 464.127 crores was released to the PR Bodies[©] as per details given below:

Release of Funds to PR Bodies in 2002-03

(Rs. in crores)				
Items	ZP	PS	GP	Total
Salary	18.0	12.8	116.97	147.84
Allowance	0			
Schematic Fund	145.6	40	97.02	282.54
Other Grants	19.63	12.80	1.31	33.74
Grand Total	183.36	65.51	215.31	464.12

[©] Annual Administrative Report 2002-03, Deptt. of Panchayat & Rural Development, Government of West Bengal.

Thus a substantial part of the State budget goes towards PRIs as illustrated below:



It is pertinent to note the fact that for the rural population, Panchayats are the first and foremost and the only relevant, interface with the Government. It is at the level of local government that public goods with a spatial reach limited to the

immediate neighborhood, ranging from local road connectivity to sanitation, to watershed management, needs to be provided. These are the very goods that determine the potential for sustainable growth and poverty reduction. It is in this context that the audit of GP assumes critical significance.

Annexure - I**The main features of the 73rd amendment**

- The centrality of the Gram Sabha to decentralise governance.
- Uniform three-tier PRI structure with village, block and district levels.
- Direct election to all seats for all members of all levels.
- Proportionate reservation of Panchayat seats and offices of chairpersons at all levels for SC and ST, with one third reserved for SC/ST women.
- One third of total seats and chairperson offices reserved for women.
- Ability of the state legislature to provide seat and office reservations to backward classes.
- Uniform five-year term for Panchayats, with elections before the expiry of term; elections within six months if Panchayat dissolved.
- Protection against dissolution by amendment before the expiry of Panchayat term.

- Disqualification from Panchayat membership for those disqualified from election to state legislature.
- Independent State Election Commission to supervise preparation of electoral rolls and control electoral process.
- Twenty-nine subjects eligible for devolution to Panchayats
- Powers to states regarding which subjects to devolve.
- Setting up a State Finance Commission (SFC) once in five years to review PRI financial position and make suitable recommendations for fund distribution to Panchayats.

Annexure – II**List of 29 subjects in the 11th schedule of the Constitution**

1. Agriculture, including agricultural extension
2. Land improvement, implementation of land reforms, land consolidation and soil conservation
3. Minor irrigation, water management and watershed development
4. Animal husbandry, dairy and poultry
5. Fisheries
6. Social forestry and farm forestry
7. Minor forest produce
8. Small scale industries, including food processing industries
9. Khadi (homespun cloth), village and cottage industries
10. Rural housing
11. Drinking water
12. Fuel and fodder
13. Roads, culverts, bridges, ferries, waterways and other means of communication
14. Rural electrification, including distribution of electricity
15. Non-conventional energy sources
16. Poverty alleviation programmes
17. Educational including primary and secondary schools
18. Technical training and vocational education
19. Audit and non-formal education
20. Libraries
21. Cultural activities
22. Markets and fairs
23. Health and sanitation, including hospitals, primary health centres and dispensaries
24. Family welfare
25. Women and child development
26. Social welfare, including welfare of the handicapped and mentally retarded
27. Welfare of the weaker sections and in particular of the scheduled castes and the scheduled tribes
28. Public distribution system
29. Maintenance of community assets.

Annexure – III**State wise Status of Devolution of Departments / Subjects to PRIs**

States/UTs	No. of Deptt./Subjects Transferred to Panchayats with			No. of Deptt./Subjects yet to be Transferred to Panchayats with		
	Funds	Functions	Functionaries	Funds	Functions	Functionaries
Andhra Pradesh	05	13	12	24	16	27
Arunachal Pradesh	-	-	-	29	29	29
Assam	-	-	-	29	29	29
Bihar	-	-	-	29	29	29
Jharkhand	-	-	-	29	29	29
Goa	-	-	-	29	29	29
Gujarat	-	-	-	29	29	29
Haryana	-	16	-	29	13	29
Himachal Pradesh	02	23	07	27	06	22
Karnataka	29	29	29	-	-	-
Kerala	15	29	15	14	-	14
Madhya Pradesh	10	23	09	19	06	20
Chhattisgarh	10	23	09	19	06	20
Maharashtra	18	18	18	11	11	11
Manipur	-	22	04	29	07	25
Orissa	05	255	03	24	04	26
Punjab	-	07	-	29	22	29
Rajasthan	-	29	-	29	-	29
Sikkim	29	29	29	-	-	-
Tamil Nadu	-	29	-	29	-	29
Tripura	-	12	-	29	17	29
Uttar Pradesh	12	13	09	17	16	20
Uttaranchal	12	13	09	17	16	20
West Bengal	12	29	12	17	-	17
A and N Island	-	-	-	29	29	29
Chandigarh	-	-	-	29	29	29
D and N Haveli	-	03	03	29	29	29
Daman and Diu	-	29	9	29	-	29
NCT Delhi	Panchayati Raj System is yet to be revived					
Lakshadweep	-	06	-	29	23	29
Pondicherry	-	-	-	29	29	29

Source: Economic and Political Weekly January 10, 2004

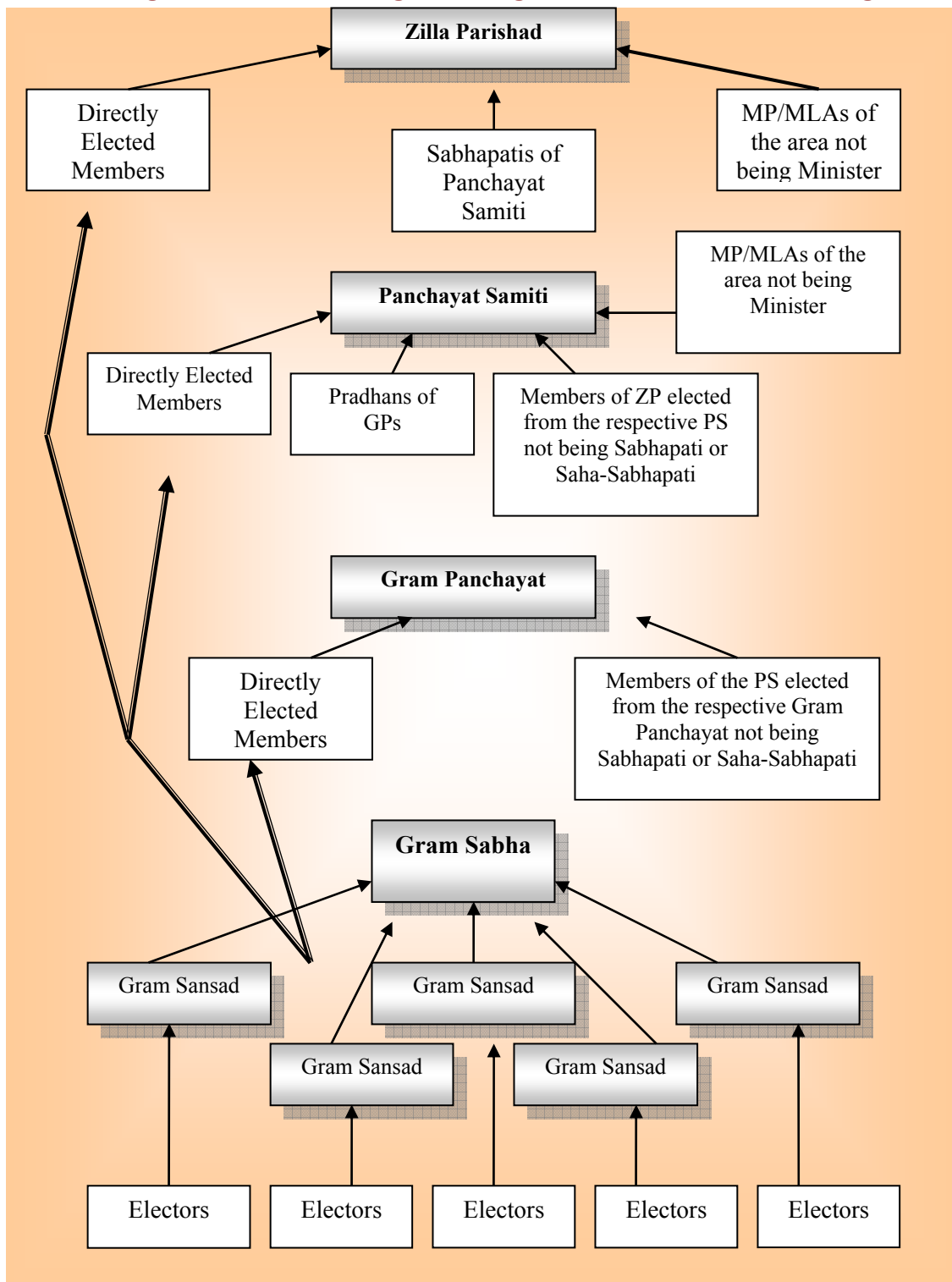
Annexure – III*

FUND RELEASED TOWARDS PR BODIES IN 2002-03					
				(Rs. In lakh)	
SCHEMES	Budget	Fund	To be available to		
	Provision	Released	Z.P.	P.S.	G.P.
Salary and Allowances Grant					
1 G.P. Salary	10,457.000	10,365.060			10,365.060
2 P.S. Salary	750.000	735.000		735.000	
3 Z.P. Salary	1,570.000	1,600.000	1,600.000		
4 Z.P. Sal. RWP	72.880	68.303	68.303		
5 Allowance to Tax Collecting Sarkars	92.000	92.568			92.568
6 G.P. TADA	1,550.000	1,240.000			1,240.000
7 P.S. TADA	680.000	544.000		544.000	
8 Z.P. TADA	174.000	139.200	139.200		
Total	15,345.880	14,784.131	1,807.503	1,279.000	11,697.628
Schematic Fund					
9 SGSY	1,000.000	399.740	399.740		
10 SGSY (Admn)	330.000	213.890	213.890		
11 IAY	2,000.000	3,605.850			3,605.850
12 SGRY	3,300.000	6,911.430	1,324.940	1,987.410	3,599.080
13 SGRY Transportation	100.000	600.000	600.000		
14 IWDP	0.000	4.100	4.100		
15 Construction of Panch. Ghars	10.000	0.000	0.000	0.000	0.000
16 Extension of Panch. Ghars	10.000	0.000	0.000	0.000	0.000
17 Rural Sanitation	1,000.000	336.443		336.443	
18 SSK	3,100.000	1,668.861		1,668.861	
19 PMGY Gramin Awas	1,880.000	1,864.530	1,864.530		
20 RIDF	7,888.000	7,734.450	7,734.450		
21 Madhya Siksha Karmasuchi	10.000	0.000	0.000	0.000	0.000
22 NOAPS	800.000	834.000			834.000
23 ACA NOAPS	0.000	1,663.116			1,663.116
24 ACA NFBS	0.000	590.500	590.500		
25 CCS Rural Housing(State)	142.000	91.355	91.355		
Do (HUDCO LOANS)		1,461.690	1,461.690		
26 Do (Central Share)	660.000	274.060	274.060		
27 Strengthening Machinery	10.000	0.000	0.000	0.000	0.000
Total	22,240.000	28,254.015	14,559.255	3,992.714	9,702.046
Other Grants					
28 Lump Grant for Dev. Work	43.680	34.910			34.910
29 Matching Grant for G.Ps.	88.200	0.000	0.000	0.000	0.000
30 State Fin. Commn. Grant(GLB)	54,615.000	0.000	0.000	0.000	0.000
31 EFC Grant	11,554.600	3,339.650	1,962.930	1,280.120	96.600
32 EFC Grant for Augmentation of					
33 Traditional Water Sources	950.090	0.000	0.000	0.000	0.000
34 L.R. Collection Grant(Z.P.)	20.000	0.000	0.000	0.000	0.000
35 Cess Grant(Z.P.)	110.000	0.000	0.000	0.000	0.000
36 Grants Profession & Callings(G.P.)	63.360	0.000	0.000	0.000	0.000
37 Panchayat Fund (3604)	1,284.000	0.000	0.000	0.000	0.000
Total	68,728.930	3,374.560	1,962.930	1,280.120	131.510
GRAND TOTAL	106,314.810	46,412.706	18,329.688	6,551.834	21,531.184

Source: Annual Administrative Report 2002-03, Deptt. of Panchayat and Rural Development, Government of West Bengal

*This annexure to be adapted to state specific scenario.

The organisational linkage among PR Bodies in West Bengal*



*This portion to be adapted to state specific scenario.

Constitution of Gram Panchayat (GP)

Definition of Gram (Act 3(1) of the W.B. Panchayat Act, 1973)

The State Government may, by notification, declare any mauza or part of a mauza or group of contiguous mauzas to be a Gram. The State Government has been empowered to form and constitute a Gram Panchayat for every Gram. To form a Gram, the State Government shall have to exercise its power by publishing a notification in the Gazette. The State Government may alter the area of any Gram by exclusion, inclusion, division or union.

Definition of Gram Sansad Act 16A of the W.B. Panchayat Act, 1973

Every constituency of a GP shall have a Gram Sansad consisting of persons whose names are included in the electoral roll of the West Bengal Legislative Assembly for the time being in force pertaining to the area comprised in such constituency of the GP.

Definition of Gram Sabha Act 16B of the W.B. Panchayat Act, 1973

Every Gram shall have a Gram Sabha consisting of persons registered in the

electoral roll pertaining to the area of the Gram. Meetings of the Gram Sabha shall be presided over by the Pradhan of the concerned GP or in his absence, by Upa-Pradhan.

Constitution of GP Act 4 of the W.B. Panchayat Act, 1973

1. For every Gram the State Government shall constitute a GP bearing the name of the Gram;
2. Persons whose names are included in the electoral roll pertaining to the area comprised in the Gram, shall elect by secret ballot from among themselves such number of members (not being less than five or more than thirty);
3. The GP shall consist of the following members:
 - a. Members elected;
 - b. Members of Panchayat Samiti, not being Sabhapati or Sahakari Sabhapati;
4. The members of a GP shall hold office for a period of five years from the date appointed for its first meeting and no longer. There shall be held a general election for the constitution of a GP within a period not exceeding five years

* This portion to be adapted to state specific scenario.

from the date of the previous general election held for that GP;

5. A person shall not be qualified to be a member of GP, if:

- a. he is a member of any municipal authority; or
- b. he is in the service of the Central or the State Government or of a GP or PS or any undertaking of Central or State Government; or
- c. he has been dismissed from the service of the Central or a State Government or a body/company controlled by the Central or State Government for misconduct involving moral turpitude and five years have not elapsed from the date of such dismissal; or
- d. he has been adjudged by a competent court to be of unsound mind; or
- e. he is an undischarged insolvent; or
- f. he has not attained the age of twenty-one years on the date fixed for the scrutiny of nominations for any election.

6. Pradhan and Upa-Pradhan:

- a. Every GP shall at its first meeting having a quorum, elect one of its

members to be the Pradhan and another member to be the Upa-Pradhan of the GP;

b. The Pradhan and the Upa-Pradhan shall hold office for a period of five years;

c. The Upa-Pradhan shall exercise the powers, perform the functions and discharge the duties of the Pradhan until a new Pradhan is elected and assumes office or until the Pradhan resumes his duties:

- When the office of the Pradhan falls vacant by reason of death, resignation, removal or otherwise, or
- The Pradhan is by reason of leave illness or other cause, temporarily unable to act.

d. When the same circumstances arise in respect of Upa-Pradhan, the Pradhan shall exercise the powers of Upa-Pradhan.

e. A Pradhan or an Upa-Pradhan or a member of a GP may resign his office by notifying in writing his intention to do so to the authority and on such resignation being accepted the Pradhan/Upa-Pradhan/member shall be deemed to have vacated his office;

f. When the office of the Pradhan and Upa-Pradhan are both vacant or the Pradhan and Upa-Pradhan are temporarily unable to act;

g. The authority may appoint (for a period of thirty days at a time) a Pradhan and Upa-Pradhan from among the members;

7. Meeting of Gram Sansad:

a. Every constituency of a GP shall have a Gram Sansad consisting of persons whose names are included in the electoral roll of the WB Legislative Assembly for the time being in force pertaining to the area comprised in such constituency of the GP.

b. Every GP shall hold within the local limits of the Gram an annual (in May) and a half-yearly meeting (in November) for each Gram Sansad at such date and at such hour as may be fixed by the GP.

c. At least 7 days before the date of holding the meetings the GP shall give public notice of such meetings

d. Every meeting shall be presided over by the Pradhan and in his absence by the Upa-Pradhan

e. One-tenth of the total number of members shall form a quorum of a Gram

Sansad; provided that attendance of 5% members is necessary to form quorum for an adjourned meeting which shall be held at the same time and place after seven days.

8. Transaction of business at Gram Sansad meeting:

a. In the annual meeting of the Gram Sansad, the GP shall place for deliberation, recommendation and suggestion:

i. The supplementary budget of the GP for the preceding year and

ii. The annual report on works.

b. In the half-yearly meeting the Gram Sansad will discuss:

i. The budget of the GP for the following year; and

ii. The latest report on the audit of the accounts of the GP.

9. Report on the work of GP:

a. There should be two reports for every year. The GP shall prepare in Form 3-A an annual report on the work done during the previous year and the work proposed to be done during the following year and submit it to the PS. A half-yearly report should be prepared in October and April every year. The

amount received from different sources and the amount pending should be narrated in the report;

b. The GP shall, immediately after the preparation of the annual report, publish the same in the office of the GP for information of the general public;

c. The GP shall place the same in the meetings of the Gram Sansad and the Gram Sabha for discussion and adoption with modification and shall furnish copies of the report to the PS ordinarily by the middle of January every year.

10. Obligatory duties of GP:

a. A GP shall function as a unit of self-government and, in order to achieve economic development and secure social justice for all, shall:

- i. Prepare a development plan for the five-year term of the office of the members and revise and update it as and when necessary with regard to the resources available;
- ii. Prepare an annual plan for each year by the month of October of the preceding year for development of human resources, infrastructure and civic amenities in the area;

iii. Implement schemes for economic development and social justice as may be drawn up by or entrusted upon it.

b. Besides benevolent works like sanitation, preventive measures in respect of malaria, small pox etc. the duties of GP shall be :

- i. The removal of encroachment of public streets or public area;
- ii. The imposition, assessment and collection of the taxes, rates or fees leviable by GP; and
- iii. The control and administration of GP Fund.

11. A GP shall also perform such other functions as the State Government may assign to it in respect of the following:

- a. Primary, social, technical, vocational, adult education;
- b. Education;
- c. Agriculture etc.

Audit points in respect of Five-year / Annual Plan

- i. Whether such five-year / annual plans had actually been drawn;
- ii. Whether there was reasonable consistency in such plans.

Receipt side

1. Did the opening balance of the CB tally with the closing balance of the previous year?

2. Particulars of contributions / grants by the State / Central Government under different heads should be checked with Cash Book and Cheques received.
3. Basis for computation of the anticipated receipts for the next year / half year should be verified from the worksheet.
4. Particulars of tax revenue under different heads should be cross checked with postings from Cash Book, tax collection register and levy of tax imposed as decided in the meeting of GP.
5. Whether there were any arrears in collection; if so, the reasons thereof should be assessed.
6. Particulars of receipts under various other heads should be reconciled with postings in Cash Book, allotment orders and cheques.
7. Entitlement and authenticity of receipts from gifts etc. should be verified from minutes of GP meetings.
8. In respect of recovery of cost of demolition of buildings, the amount of actual recovery should be verified from the prescribed rates/ rates fixed at the GP meetings.
9. Amounts received from Central/ State Govts and other sources should be checked from the Cash Book, respective registers and cheques.
10. Was there any delay in transmission of the amounts received under different heads of accounts to the banks?
11. An overall arithmetical accuracy of the figures in the statement should be ensured.

Expenditure side

1. Cost of administration should be verified from the office copies of salary

and allowances, Sanction Registers, Cash Book and withdrawal of cheques.

2. In respect of Traveling Allowance, it should be seen that the programmes were approved by the competent authority.
3. In respect of honorarium, it should be seen that the prior approval of the competent authority was obtained and the work for which the honorarium was sanctioned, was actually executed.
4. Expenditure shown under different heads/ schemes/ works should be tallied with figures of different works registers/Cash Book. Performance of works should also be kept in view to see the works for which the amounts are shown as incurred, were actually executed/under execution.
5. Expenditure is supported by proper vouchers.

Summary

The system of Panchayat existed in ancient India and local government institutions developed gradually during the British era. In post-independent India it was included in the Directive Principles of State Policy and finally constitutionalised vide 73rd Amendment of the Constitution of India in 1992. West Bengal was a pioneer State in institutionalizing the PRIs in 1973, 1978 and onwards. The West Bengal Panchayat Act defines GP election and its functions, powers and duties and its system of working. The GP needs to send an Annual /Five Year Report showing the position of activities under different heads. The session concludes with an Audit Exercise.